

Revenue Distribution Breakout Session “Hands On”

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May 2023

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Training Goals

1. Provide information on concepts and terms related to revenue distribution
2. Research resources for required distributions and applicable fees/penalties
3. Perform distribution calculations on worksheets
 - Work through case studies of common distributions.
 - Change information on the cases to see their effect on the distributions.

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Sample Distributions

Basic Distributions	<ul style="list-style-type: none">• Speeding violation• <i>Added prior violation</i>
Regular Traffic School	<ul style="list-style-type: none">• Speeding violation
Special Base Fine Multiple Violation	<ul style="list-style-type: none">• DUI violation• <i>Added failure to stop at stop sign violation</i>
Red Light Bail Forfeiture Red Light Traffic School	<ul style="list-style-type: none">• Red light violation
Health & Safety Code Violation	<ul style="list-style-type: none">• Possession with intent to sell (cannabis)
Top-Down Methods 1 & 2	<ul style="list-style-type: none">• Speeding

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BASIC CONCEPTS AND TERMS

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Standard Criminal/Traffic Fine Equation

$$\begin{aligned}
 &\text{Base Fine + Base Fine Enhancements} \\
 &= \\
 &\quad \text{Total Base Fine} \\
 &+ \\
 &\quad \text{State and Local Penalties} \\
 &= \\
 &\quad \text{Initial Penalty} \\
 &+ \\
 &\quad \text{Surcharge, Fees, and Assessments} \\
 &= \\
 &\quad \text{Total Bail or Fine}
 \end{aligned}$$

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Base Fine

- The amount from which the additional penalties and surcharge required by Penal Code § 1465.7 are calculated.
- Total bail shall not exceed statutory limits and minimum statutory amounts must be imposed.
- The 'fine' amount of the total bail shall not exceed the limitations specified by statute.

Uniform Bail & Penalty Schedules, Section IV, pg. vii

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Countywide Bail Schedules

The Council is not the only entity required to publish a bail schedule. Each individual court is required to prepare, adopt and annually revise a uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses, except Vehicle Code infractions. Thus, while the Council is required to publish the traffic infraction schedule, the counties are responsible for all others.

Rule 4.102 additionally requires that, when performing those duties, counties "give consideration to the (UB&PS) approved by the Judicial Council." After adopting their countywide bail schedule, courts must send a copy of their countywide schedule to the Council "with a report stating how the revised schedule differs from the (UB&PS)."

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Base Fine Enhancements

- **Enhancement for Prior Vehicle Code (VC) Convictions**
UB&PS section VII, pg. viii
 - \$10 may be added to the base fine for each "prior" conviction within 36 months of the new offense. Both the current and "prior" offense must be a moving violation where a "point" was assigned per VC § 12810 or VC § 12810.2. The \$10 prior enhancements are assessed for each prior violation on a single count (assessed only once per case). Prior enhancements do not apply to traffic school cases. (Distinguished from VC § 40508.6)
- **Health & Safety Code (H&S) § 11372.5 - Criminal Lab Fee**
Trial Court Revenue Distribution Guidelines (*Guidelines*)
 - Base fine enhancement of \$50 for each violation of the H&S code under subdivision (b).
- **H&S § 11372.7 - County Drug Program Fee Guidelines**
 - Base fine enhancement of up to \$150 for each violation of the H&S sections 11350 through 11392 except H&S § 11357(b).

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2% State Court Automation

- Government Code § 68090.8 - 2% State Court Automation *Guidelines*
 - Transferred from all fines, penalties, and forfeitures (not on surcharges or fees) collected in criminal cases.
 - So, referring to our equation, 2% applies to the:
 - Base fine
 - Base fine enhancement
 - State and local penalties

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State Surcharge

- PC § 1465.7 – 20% State Surcharge *Guidelines*
- 20% state surcharge is calculated on total **base fines**.
- The state surcharge is **NOT** calculated on State and local penalties (PC § 1464, GC § 70372, and GC § 76000.)
- The GC § 68090.8 2% state court automation is **NOT** applicable to the state surcharge.

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State and Local Penalties

- These penalties are calculated using the "Per 10, or part of 10" factor from a **ROUNDED UP** base fine.
- State and Local Penalties UB&PS Section III A, pg. iii
- PC § 1464 State penalty = \$10 per 10
- GC § 76104.6 County DNA Identification Fund penalty = \$1 per 10
- GC § 76104.7 state DNA Identification Fund additional penalty = \$4 per 10
- GC § 70372(a) state court facilities construction penalty = \$5 per 10
- GC § 76000(a) county penalty *per board of supervisors' resolution* = up to \$7 per 10
- GC § 76000.5 emergency medical services (EMS) additional penalty *per board of supervisors' resolution* = \$2 per 10

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Board of Supervisors Resolution

- Is there a list of assessments requiring a BOS resolution?
- If I do not have one, should I assess?
- How to obtain a BOS Resolution

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State and Local Penalties

- PC § 1464 - State Penalty *Guidelines*
 - A penalty of \$10 per \$10 (or part of \$10) upon every fine, penalty, or forfeiture imposed - 70% goes to the State and 30% goes to the County.
- GC § 76000 (a) & (e) - County Penalties *Guidelines*
 - A penalty of up to \$7 per \$10 (or part of \$10) upon every fine, penalty, or forfeiture imposed (BOS).
 - Board resolution specifies distribution to the following local funds:
 - GC § 76100 Courthouse Construction Fund;
 - GC § 76101 Criminal Justice Facilities Fund;
 - GC § 76102 Auto Fingerprint ID Fund;
 - GC § 76103 Forensic Lab Fund;
 - GC § 76104 EMS Fund;
 - GC § 76104.5 DNAID Fund; and/or
 - GC § 76105 Special Purpose Fund.
 - If responsibility for facilities transferred to State and **NO** bonded indebtedness remains, the additional penalty follows GC § 76000(e).

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Transfer/ No Bonded Indebtedness

- Bonded Indebtedness – this is a debt that is secured by an issued bond with the monies received to be used to pay for Court Facilities.
 - If the responsibility for one or more facilities has not transferred to the state, the revenues collected in the County's Courthouse Construction Funds will shift proportionally based on the square footage of the space that the County has transferred to the State.
 - For Example: If 75% of the County's Court Facility space transfers to the state and the revenues is not tied to bonded indebtedness on any of the Court Facilities, then 75% of the local courthouse construction fund would also transfer to the state.
 - When this occurs, this affects how funds are collected under GC § 76000(a) or GC § 76000(e).
- Additional Information can be found under GC § 70375.

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Additional Penalties

- GC § 76104.6 - DNA Identification Penalty *Guidelines*
 - Additional penalty of \$1 per \$10 (or part of \$10) for every fine, penalty, or forfeiture imposed.
 - Assessed on all criminal offenses.
 - County transfers 25% to State each quarter.
- GC § 76104.7 - DNA Identification Penalty *Guidelines*
 - Additional penalty of \$4 per \$10 (or part of \$10) for every fine, penalty, or forfeiture imposed.
 - Assessed on all criminal offenses (for violations after June 27, 2012.)
 - County to transfer 100% to State.

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Additional Penalties

- GC § 70372 (a) - Court Construction Penalty *Guidelines*
 - Additional penalty of \$5 per 10 (or part of \$10) upon every fine, penalty, or forfeiture imposed.
 - Distributed to the State CFCF.
- GC § 76000.5 - Emergency Medical Services (EMS) *Guidelines*
 - Additional penalty assessment of \$2 per 10 (or part of \$10) of the base fine (board of supervisors' resolution).
 - Distributed to the County Maddy EMS Fund

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Additional Penalties

- GC § 76000.10(c)(1) \$4 EMAT Penalty
UB&PS Section III F, pg. iv and *Guidelines*
- A \$4 penalty for emergency medical air transportation services (EMAT) is imposed for every Vehicle Code conviction, or a local ordinance adopted under the Vehicle Code, committed on or after January 1, 2011.
- Distributed to the State EMAT Fund
As the law stands today, imposition of EMAT penalty ended December 31, 2022, and collection of EMAT penalty will end December 31, 2023.

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Fees and Assessments

- PC § 1465.8 – Court Operations Assessment *Guidelines*
 - \$40 assessed on every conviction for a criminal offense, including a traffic offense, except parking offenses as defined in subdivision (i) of Penal Code section 1463.
 - "Conviction" includes the confidential conviction of a traffic violation on the condition that the defendant attend a court-ordered traffic violator school.
 - 100% distribution to State TCTF.
- GC § 70373 – Criminal Conviction Assessment *Guidelines*
 - \$30 assessed for each *felony/misdemeanor* conviction, or
 - \$35 assessed for each *infraction* conviction (including confidential conviction for completion of traffic school.)
 - 100% distribution to State CFCF

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Fees and Assessments

- VC § 42006 - Night Court Special Assessment *Guidelines*
 - Vehicle Code or local ordinance adopted where the court conducts night or weekend court sessions for traffic offenses.
 - Court may levy a \$1 special assessment per fine, forfeiture, and traffic violator school fee imposed.
 - When facilities have transferred w/o bonded indebtedness, the \$1 special assessment goes to the State.
 - Non-parking violations

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Recap of the Standard Criminal/Traffic Fine Equation/Formula

Base Fine + Base Fine Enhancements
=
Total Base Fine
+
State and Local Penalties
=
Initial Penalty
+
Surcharge, Fees, and Assessments
=
Total Bail or Fine

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Poll # 1


- Which of these penalties and assessments is NOT added to the base fine?
- A. State penalty
 - B. Court construction penalty
 - C. 2% automation assessment
 - D. 20% state surcharge
 - E. All are added to the base fine

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How complex do you find revenue distribution?
1 to 5...



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Preparing for Distributions

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Preparing for Distributions

1. Gather case information:

- Codes violated
- Violation date and conviction date
- Disposition on each count (conviction, traffic school)
- Arresting agency (county, city, CHP)
- Prior violations
- Base fine and enhancements (*how much was assessed*)

2. Obtain County Board of Supervisors' resolutions

3. Determine other factors

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Gathering Case Information

Case Information:

- Violation Date = 9/16/2022
- Disposition Date = 11/21/2022
- Arresting Agency = Coronado Police Department
% Split between County and City (Refer to PC § 1463.002)
- Violation = VC § 22349(b); 1-15 MPH Over 55 MPH Limit
- Violation Type = Infraction
- Disposition = Bail Forfeiture

Local County BOS Penalties:

- LCCF = \$2
- LCF = \$2
- EMS = \$1.50
- DNA = \$.50
- Auto Fingerprint = \$1
- Additional EMS = \$2
- EMAT Fee GC § 76000.10(c) = \$4

Court Fees:

- PC § 1465.8 – Court Ops Assessment = \$40
- GC § 70373 – Criminal Conviction Assessment = \$35
- Night Court Fee = \$1

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TRIAL COURT REVENUE DISTRIBUTION GUIDELINES

LEGINFO

DISTRIBUTION WORKSHEETS

RESOURCES

TC- 31

Breakout Session B
Case studies/worksheets

FAQs

CROSSWALK

**Uniform Bail &
Penalty Schedules**

PowerPoint Presentations

JCC, SCO and FTB staff

Resources & Links

<http://www.courts.ca.gov/revenue-distribution.htm>

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Guidelines (cont'd)

Table 2
Special Distributions of Fines and Forfeitures Preceding PEN 1463.001 Distribution

Code Section	Violation	From	To	Fund User/Special Provision	Priority of Payments
PEN 1463.18 — Driving Under the Influence of Alcohol Programs and Services Fees	Out Under: VEH 23152, VEH 23153, SECTION 23153 Under: VEH 23103, VEH 23104, VEH 23105.	\$50 per conviction from PEN 1463.001 general collections for Los Angeles, Orange, San Diego, San Fernando, Sonoma, Stanislaus, and San Luis Obispo Counties, Contra Costa County Board of Supervisors may impose \$50 assessment on each defendant convicted under VEH 23152 or VEH 23153. \$50 of fine collected under PEN 1463.001 for all other Counties. Up to 5% of funds collected.	County special account, less up to 5% for administrative costs.	Alcohol programs and services for the general public.	3
PEN 1463.18 — Indemnification of Victims, Driving Under the Influence	Out Under: VEH 23152, VEH 23153.	First \$20 of any amount collected for a conviction. Balance of fine to PEN 1463.001.	State Restitution Fund. General distribution pursuant to PEN 1463.001.	Indemnification of victims of violent crimes, with priority given to victims of alcohol-related traffic accidents. See PEN 1463.001 (Table 3).	3 Pursuant to PEN 1462.5, PEN 1463.18 distributions have priority over all other Priority 3 distributions.

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Leg Info

PENAL CODE - PEN
PART 1 OF CRIMINAL PROCEDURE (397 - 402) (Part 2 enacted 1/1/13)
PART 10. PROCEEDINGS IN RESTITUTION AND INFRACTION CASES AND APPEALS FROM SUCH CASES (247 - 247E) (Heading of Title 11 amended by Stats. 1992, Ch. 831, Sec. 407.)

CHAPTER 1. Proceedings in Restitution and Infraction Cases (247 - 247E) (Heading of Chapter 1 amended by Stats. 1992, Ch. 831, Sec. 408.)

1463.18. (a) Notwithstanding the provisions of Section 1463, of the moneys deposited with the county treasurer pursuant to Section 1463, fifty dollars (\$50) of each fine collected for each conviction of a violation of Section 23103, 23104, 23105, 23152, or 23153 of the Vehicle Code shall be deposited in a special account that shall be used exclusively to pay for the cost of performing the tests, or in a special district within the county, analysis of blood, breath or urine for alcohol content or for the presence of drugs, or for services related to that testing. The sum shall not exceed the reasonable cost of providing the services for which the sum is retained.

On November 1 of each year, the treasurer of each county shall determine those moneys in the special account that were not expended during the preceding fiscal year, and shall transfer those moneys into the general fund of the county. The board of supervisors may, by resolution, assign the treasurer's duty to determine the amount of money that was not expended to the auditor or another county officer. The county may retain an amount of that money equal to its administrative cost incurred pursuant to this section, and shall distribute the remainder pursuant to Section 1463.19. The amount retained, reduced, and the date entry reflects a trust performed pursuant to this subdivision shall have the same of the text.

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LegInfo (cont'd)

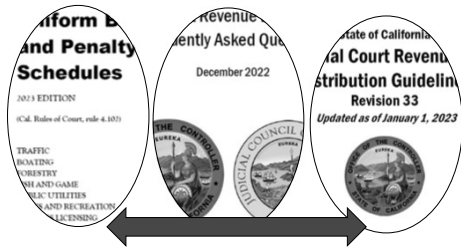
PC § 1463.14. (a) Notwithstanding the provisions of Section 1463, of the moneys deposited with the county treasurer pursuant to Section 1463, fifty dollars (\$50) of each fine collected for each conviction of a violation of Section 23103, 23104, 23105, 23152, or 23153 of the Vehicle Code shall be deposited in a special account that shall be used exclusively to pay for the cost of performing for the county, or a city or special district within the county, analysis of blood, breath or urine for alcohol content or for the presence of drugs, or for services related to that testing.

PC § 1463.16(a). Notwithstanding Section 1203.1 or 1463, fifty dollars (\$50) of each fine collected for each conviction of a violation of Section 23103, 23104, 23105, 23152, or 23153 of the Vehicle Code shall be deposited with the county treasurer in a special account for exclusive allocation by the county for the county's alcoholism program, with approval of the board of supervisors, for alcohol programs and services for the general population.

PC § 1463.18(a). Notwithstanding the provisions of Section 1463, moneys which are collected for a conviction of a violation of Section 23152, or 23153 of the Vehicle Code, and which are required to be deposited with the county treasurer pursuant to Section 1463 shall be allocated as follows: (1) The first twenty dollars (\$20) of any amount collected for a conviction shall be transferred to the Restitution Fund. This amount shall be aggregated by the county treasurer and transferred to the State Treasury once per month for deposit in the Restitution Fund.

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How does the Crosswalk work?



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JUDICIAL COUNCIL OF CALIFORNIA

CROSSWALK BETWEEN TRIAL COURT REVENUE DISTRIBUTION GUIDELINES, THE UNIFORM BAIL & PENALTY SCHEDULES, AND FAQs

The rules and regulations contained in this document have not been amended. We believe that our "Crosswalk" identifies any changes or updates to the effective date as well as the specific section. Refer to the source cited to ensure the most current language is applied.

Table 2 - Special Distributions of Fines and Forfeitures Preceding PC 1463.001 Distribution

Total Court Revenue Distribution Guidelines (Rev 33) 1-1-2023		Uniform Bail & Penalty Schedules 2023	
Id.	Code Description	Violation	Description
24	PC 1463.146(a)	Lab Fees for Convictions of Driving Under the Influence or Public Driving (includes as a fee distributed as a fee)	
		Water	
		VC 23102	DUI - 0.08%
		VC 23103	DUI - 0.05%
		Vehicle Driving Under	
		VC 23104	VC 23104 - 0.05%
		VC 23104	VC 23104 - body injury
		VC 23104	VC 23104 - specific injury

www.courts.ca.gov/revenue-distribution.htm

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FAQ Search: DUI

C	31	DUI Assessments	May 12, 2015	<p>Q Should fees per Penal Code (PC) section 1463.14(a) and PC section 1463.16 be assessed on all violations of Vehicle Code (VC) sections 23103 and 23104? If so, when?</p> <p>A Yes, both fees should be assessed upon conviction of a violation of VC sections 23103 and 23104; and \$50 of each fine collected should be deposited for alcoholism program and services.</p>
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**County and City % Split Information
(Refer to PC § 1463.002) Continued**

San Diego	
Carlsbad	8
Chula Vista	23
Coronado	25
Del Mar	8
El Cajon	17
Escondido	16
Imperial Beach	8
La Mesa	23
Lemon Grove	8
National City	14
Oceanside	15
San Marcos	8
Vista	8
San Diego	6
County	25
percentage	



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**County and City % Split Information
(Refer to PC § 1463.002) Applied**

CASE INFORMATION	
Case Number	0
Violation Date	9/16/2022
Disposition Date	11/21/2022
Arresting Agency	Coronado PD
County %	25%
City %	75%

**Enter the Percentage identified into the County Line*

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Poll # 2

The base fine is always distributed 100% to the county.
 True
 False

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State and Local Penalties
State
Local
Additional EMS
SCFCF

D/C	Per 10	DISTRIBUTION	DISTRICT ENTITY	STANDARD BASE S/P		
				Standard Per Unit	2% Amt.	FINAL (After 2%)
A						
Y	0	PC 1463 001 - Base County	COUNTY	6.75	0.14	6.92
Y	7	PC 1468 002 - Base City	CITY	26.25	0.53	26.78
Y	7	PC 1464 - State PA - State portion (20%)	STATE	28.00	0.56	27.44
Y	3	PC 1464 - State PA - County portion (20%)	COUNTY	12.00	0.24	11.76
Y	0.75	GC 76104 4 - DNA PA(1)(2) 75%	COUNTY	3.00	0.06	2.94
Y	0.25	GC 76104 6 - DNA PA(1)(2) 25%	STATE	1.00	0.02	0.98
Y	4	GC 76104 7 - DNA Adm PA(1)(2) eff 6-27-12, prev 3/10	STATE	16.00	0.32	15.68
Y	2.00	GC 76100 - LCCF	COUNTY	8.00	0.16	7.84
Y	1.00	GC 76101 - LCF	COUNTY	8.00	0.16	7.84
Y	1.50	GC 76104 - EMS	GC 76000 PA187 for every 10 break-down per local board of supervisor resolution (BOS)	6.00	0.12	5.88
Y	0.50	GC 76104 5 - DNA ID	COUNTY	2.00	0.04	1.96
Y	1.00	GC 76102 - Auto Fingerprint	COUNTY	4.00	0.08	3.92
Y	2.00	GC 76000 5 - EMS Adm PA (BOS 2/10)	COUNTY	8.00	0.16	7.84
Y		GC 76000 1862 - EMS Penalty (64 eff 3-3-11, may not be imposed after 12-31-22 or collected after 12-31-23)	STATE	4.00	0.08	3.92
Y	5.00	GC 70372(a) SCFCF (0.10)	STATE	20.00	0.40	19.60
N		PC 1465 7 - 20% Surcharge	STATE	7.00	0.00	7.00
SUBTOTAL				162.00		158.90
N		PC 1468 8 - Court Ops Assmnt (640 eff 10-19-10)	STATE	40.00	0.00	40.00
N		GC 70373 - Crim Conv Assmnt (330 for miss \$15 for inf)	STATE	35.00	0.00	35.00
N		VC 40508 6 - Private Admin Fee (up to \$10)	COUNTY	0.00	0.00	0.00
N		VC 42006 - Night Court Assmnt (5)	STATE	1.00	0.00	1.00
N		GC 68090 8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			3.10
TOTAL FINE					3.10	238.00

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Local Penalty: Select County

Please choose the county: San Diego Select the County from Drop-down List

Test for Local Penalties

Has the county transferred responsibility for court facilities to the State? Yes No

Has county paid off all indebtedness for court facilities? Yes No

GC 76000 Local Penalties for San Diego County \$ 7.00

County	GC 76000 (a)
Chico	\$0.00
Colusa	\$0.00
Contra Costa	\$0.00
El Dorado	\$0.00
Essex	\$0.00
Glenn	\$0.00
Humboldt	\$0.00
Imperial	\$0.00
Inyo	\$0.00
Kern	\$0.00
Kings	\$0.00
Lake	\$0.00
Lassen	\$0.00
Los Angeles	\$0.00
Mariposa	\$0.00
Merced	\$0.00
Monterey	\$0.00
Nevada	\$0.00
Orange	\$0.00
Placer	\$0.00
Plumas	\$0.00
San Bernardino	\$0.00
San Diego	\$7.00
San Francisco	\$0.00
San Joaquin	\$0.00
San Luis Obispo	\$0.00
San Mateo	\$0.00
Santa Barbara	\$0.00
Santa Clara	\$0.00
Santa Cruz	\$0.00
Shasta	\$0.00
Siskiyou	\$0.00
Tehama	\$0.00
Tulare	\$0.00
Yuba	\$0.00

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Standard and Court-specific Fees
20% Surcharge
Court Operations Assessment
Criminal Conviction Assessment

D/C	Per 10	DISTRIBUTION	DISTRICT ENTITY	STANDARD BASE S/P		
				Standard Per Unit	2% Amt.	FINAL (After 2%)
A						
Y	0	PC 1463 001 - Base County	COUNTY	6.75	0.14	6.92
Y	7	PC 1468 002 - Base City	CITY	26.25	0.53	26.78
Y	7	PC 1464 - State PA - State portion (20%)	STATE	28.00	0.56	27.44
Y	3	PC 1464 - State PA - County portion (20%)	COUNTY	12.00	0.24	11.76
Y	0.75	GC 76104 4 - DNA PA(1)(2) 75%	COUNTY	3.00	0.06	2.94
Y	0.25	GC 76104 6 - DNA PA(1)(2) 25%	STATE	1.00	0.02	0.98
Y	4	GC 76104 7 - DNA Adm PA(1)(2) eff 6-27-12, prev 3/10	STATE	16.00	0.32	15.68
Y	2.00	GC 76100 - LCCF	COUNTY	8.00	0.16	7.84
Y	1.00	GC 76101 - LCF	GC 76000 PA187 for every 10 break-down per local board of supervisor resolution (BOS)	6.00	0.12	5.88
Y	1.50	GC 76104 5 - DNA ID	COUNTY	2.00	0.04	1.96
Y	1.00	GC 76102 - Auto Fingerprint	COUNTY	4.00	0.08	3.92
Y	2.00	GC 76000 5 - EMS Adm PA (BOS 2/10)	COUNTY	8.00	0.16	7.84
Y		GC 76000 1862 - EMS Penalty (64 eff 3-3-11, may not be imposed after 12-31-22 or collected after 12-31-23)	STATE	4.00	0.08	3.92
Y	5.00	GC 70372(a) SCFCF (0.10)	STATE	20.00	0.40	19.60
N		PC 1465 7 - 20% Surcharge	STATE	7.00	0.00	7.00
SUBTOTAL				162.00		158.90
N		PC 1468 8 - Court Ops Assmnt (640 eff 10-19-10)	STATE	40.00	0.00	40.00
N		GC 70373 - Crim Conv Assmnt (330 for miss \$15 for inf)	STATE	35.00	0.00	35.00
N		VC 40508 6 - Private Admin Fee (up to \$10)	COUNTY	0.00	0.00	0.00
N		VC 42006 - Night Court Assmnt (5)	STATE	1.00	0.00	1.00
N		GC 68090 8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			3.10
TOTAL FINE					3.10	238.00

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Prior Convictions

The base fine for one Vehicle Code moving violation that is assessed "points" on a current arrest or citation may be enhanced by \$10 for each "prior" conviction within 36 months of the new alleged offense. For calculating the enhancement, both the current and "prior" offense must be a moving violation for which a "point" has been assigned per Vehicle Code section 12810 or 12810.2.

A confidential conviction after completion of traffic school is not assigned a point or counted as a prior offense for purposes of enhancing the fine of a subsequent offense. Regardless of the number of moving violation convictions on a citation, only one "prior" per citation shall be counted in determining the enhancement on the current offense.

Uniform Bail and Penalty Schedule (2023), pg. viii

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Priors: Impact to Calculation

Case Study 1 - Speeding Bail Forfeiture					
CASE INFORMATION					
Case Number	0	COUNT 1	VC 22349(b)	BASE FINE	\$5
Violation Date	1/26/2023	Violation Description	1-15 MPH over	Priors	1
Disposition Date	3/24/2023	Violation Type	Traffic Infraction	Enhanced BASE	45
Arresting Agency	Coronado PD	Disposition	Bail Forfeiture		
County %	25%	COUNT 2 (if any)		BASE FINE	0
City %	75%	Violation Description		Priors	
TOTAL Enhanced Base	\$45.00	Violation Type		Enhanced BASE	0
Portion of 10	5	Disposition	GC 76000	\$	7.00

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Penalties Calculation

Y	2.00	GC 76100 - LCCF		COUNTY	10.00	0.20	9.80
Y	2.00	GC 76101 - LCIF	GC 76000 PA (\$7 for every 10 breakdown per local board of supervisor resolution (BOS).	COUNTY	10.00	0.20	9.80
Y	1.50	GC 76104 - EMS		COUNTY	7.50	0.15	7.35
Y	0.50	GC 76104.5 - DNA ID		COUNTY	2.50	0.05	2.45
Y	1.00	GC 76102 - Auto Fingerprint		COUNTY	5.00	0.10	4.90
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)		COUNTY	10.00	0.20	9.80
Y		GC 76000.10(c) - EMAT Penalty (\$4 eff 1-1-11; may not be imposed after 12-31-22 or collected after 12-31-23)		STATE	0.00	0.00	0.00
Y	5.00	GC 70372(a); SKCF (15/10)		STATE	25.00	0.50	24.50
N		PC 1465.7 - 20% Surcharge		STATE	9.00	0.00	9.00
				SUBTOTAL	199.00		195.20

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Spreadsheet Walk-through

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Session Recap

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Case Study Goals

- Provide information on concepts and terms regarding distributions necessary to complete distribution worksheets.
- Use distribution worksheets to:
 1. Work through actual case studies of basic distributions.
 2. Understand impacts of variations (priors, multiple violations, etc.) to demonstrate how distributions change.

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Case Study #1: Speeding

- Speeding 1 to 15 MPH over 55 MPH Limit
- VC 22349(b), Infraction
- Prior VC violation added

WATCH OUT FOR: NOT correctly applying enhancement for priors and 2% state court automation.

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CASE INFORMATION		COUNT 1	VC 22349(b)	BASE FINE	55
Case Number					
Violation Date	3/16/2023	Violation Description	1-15 MPH over 55 MPH	Priors	1
Disposition Date	3/22/2023	Violation Type	Traffic Infraction	Enhanced Base	55
Arresting Agency	Coronado PD	Disposition	Bail Forfeiture	BASE FINE	0
County % 25%		COUNT 2 (if any)			
City % 75%		Violation Description		Priors	
TOTAL Enhanced Base Portion of ID	\$45.00	Violation Type		Enhanced Base	0
		Disposition		VC 76000	2,000

2%	Per ID	DISTRIBUTION	DISTRIB ENTITY	STANDARD BASE-UP		COURT DISTRIBUTION	
				Standard Per ID	2% Amt (After 2%)	FINAL (After 2%)	DISTRIB CODE or DESCRIPTION
						A	
							B
Y	1	PC 1463.003 - Base County	COUNTY	11.31	0.23	11.33	
Y	1	PC 1463.002 - Base City	CITY	33.75	0.68	33.08	
Y	7	PC 1464 - State PA - State portion (70%)	STATE	35.00	0.70	34.30	
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	15.00	0.30	14.70	
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	3.75	0.08	3.68	
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	1.25	0.03	1.23	
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	20.00	0.40	19.60	
Y	2.000	GC 76100 - LCIF	COUNTY	10.00	0.20	9.80	
Y	2.000	GC 76101 - LCIF	COUNTY	10.00	0.20	9.80	
Y	1.500	GC 76104 - EMS	COUNTY	7.50	0.15	7.35	
Y	0.500	GC 76104.5 - DNA ID	COUNTY	2.50	0.05	2.45	
Y	1.000	GC 76103 - Act's Engagement	COUNTY	5.00	0.10	4.90	
Y	2.000	GC 76000.5 - EMS Addl PA (80% 2/10)	COUNTY	10.00	0.20	9.80	
Y	1.000	GC 76000.1000 - EMS Penalty (\$4.00 1-1-11, may not be imposed after 12-31-22 or collectd after 12-31-23)	STATE	4.00	0.00	4.00	
Y	5.000	GC 703.7181 - SCCC (5.00)	STATE	15.00	0.30	14.70	
N		PC 1465.7 - 20% Surcharge	STATE	9.00	0.00	9.00	
N		SUBTOTAL		199.00	0.00	199.00	0.00
N		PC 1465.8 - Court Ops Assmt (\$40 eff 10-19-10)	STATE	40.00	0.00	40.00	
N		GC 703.73 - Crim Conv Assmt (\$30 for misd/\$35 for inf)	STATE	35.00	0.00	35.00	
N		VC 40008.6 - Priors Admin Fee (up to \$10)	COUNTY	10.00	0.00	10.00	
N		VC 42006 - Night Court Assmt (\$1)	STATE	1.00	0.00	1.00	
N		GC 68090.8 - % State Automation (for fines, penalties & forfeitures)	STATE	1.00	0.00	1.00	
		TOTAL FINE		385.00	0.80	385.00	TOTAL 0.00

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Case Study #2: Speeding Traffic School

VC § 42007:

- For a person ordered or permitted to attend traffic school, a fee is collected in an amount equal to the "total bail" set forth in the uniform countywide bail schedule or set forth in UB&PS.
- In short, the "total bail" becomes the TVS fee.
- Because it is a fee, the 2% state court automation no longer applies.

WATCH OUT FOR:
What is and is not part of the TVS fee.

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Case Study #4: Red Light Bail Forfeiture

Per PC § 1463.11:

- 30% of the base fine, PC § 1464, GC § 76000, and GC § 70372 shall be allocated to the general fund of the city or county in which the offense occurred.
- After 30% allocation, the balance (70%) shall be distributed pursuant to their respective statutes.

WATCH OUT FOR:

What is and is not part of the first 30% of the bail forfeiture.

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Case Study #4 - Red Light Bail Forfeiture									
CASE INFORMATION									
Case Number	COUNT 1	Violation Description	VC 21453(a)	BASE FINE	Priors	100			
Violation Date	2/10/2023	Violation Type	Red Light Violation	Enhanced BASE	Priors	100			
Arresting Agency	DeWitt PD	Disposition	Bail Forfeiture	BASE FINE	Priors	0			
County %	22%	Disposition		Enhanced BASE	Priors	0			
City %	78%	Disposition		Enhanced BASE	Priors	0			
TOTAL Enhanced Base	\$1000.00	Disposition		GC 76000	Priors	0			
Section of IB	10	Disposition			Priors	0			
STANDARD BASE UP									
DISTRIB	ENTITY	Standard Per URS	30% Fund Light PC 1463.11	Standard	2% Amt	FINAL (After 2%)	COURT DISTRIBUTION		
							DISTRIB CODE or DESCRIPTION	DISTRIB AMT	
Y	PC 1463.11 - 30% Red Light Abatement	0.00	0.00	0.00	0.00	0.00			
Y	PC 1463.001 - Base County	22.00	6.50	15.50	0.31	15.79			
Y	PC 1463.002 - Base City	78.00	23.40	54.60	1.09	55.69			
Y	PC 1464 - State PA - State portion (70%)	70.00	21.00	49.00	0.98	49.98			
Y	PC 1464 - State PA - County portion (30%)	30.00	9.00	21.00	0.42	21.42			
Y	GC 76104 - DNA PA (1/10) 76%	7.50	2.25	5.25	0.11	5.36			
Y	GC 76104 - DNA PA (1/10) 25%	2.50	0.75	1.75	0.04	1.79			
Y	GC 76104 - DNA PA (1/10) 25% (prev 3/10)	40.00	12.00	28.00	0.56	28.56			
Y	GC 76100 - LCFP	20.00	6.00	14.00	0.28	14.28			
Y	GC 76103 - LCFP	20.00	6.00	14.00	0.28	14.28			
Y	GC 76104 - EMS	15.00	4.50	10.50	0.21	10.71			
Y	GC 76104 - S - DNA ID	5.00	1.50	3.50	0.07	3.57			
Y	GC 76102 - Auto Fingerprint	10.00	3.00	7.00	0.14	7.14			
Y	GC 76000 - S - DNA PA (1/10) 27/10	20.00	6.00	14.00	0.28	14.28			
Y	GC 76000 - S - DNA PA (1/10) 27/10	0.00	0.00	0.00	0.00	0.00			
Y	GC 70372(a) SCFCF (8/10)	60.00	18.00	42.00	0.84	42.84			
N	PC 1463.11 - 30% Red Light	20.00	6.00	14.00	0.28	14.28			
SUBTOTAL		410.00	123.00	287.00	5.74	292.74		0.00	
N	GC 70373 - Court Case Assmt (\$40 up to \$10-\$10)	40.00	0.00	40.00	0.00	40.00			
N	GC 70373 - Court Case Assmt (\$30 for minor/\$35 for ind)	35.00	0.00	35.00	0.00	35.00			
N	VC 42007.3 - Priority Admin Fee (up to \$10)	0.00	0.00	0.00	0.00	0.00			
N	VC 42006 - Night Court Assmt (\$3)	3.00	0.00	3.00	0.00	3.00			
N	GC 60000 - 2% State Automation (for fines, penalties & forfeitures)	1.00	0.00	1.00	0.00	1.00			
TOTAL FINE		486.00	146.00	340.00	7.04	347.04	TOTAL	0.00	

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Case Study #4 Scenario 2: Traffic School disposition

Change the bail forfeiture to traffic school

VC § 42007.3(a)(1):

- 30% of the TVS Fee collected is allocated to the county or city general fund where the offense occurred.
- After the 30% allocation, the remainder of the TVS Fee is distributed pursuant to VC § 42007.

WATCH OUT FOR:

What is and is not part of the TVS fee.

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Training Evaluation

Excellent

Good

Poor

- Please complete the SurveyMonkey evaluation (link below) after attending or viewing the training session.
- Your feedback is very important to us — it guides us in planning future training sessions that meet your needs.
- Thank you!

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Questions and Resources

Judicial Council Funds and Revenues Unit

Public mailbox: revenuedistribution@jud.ca.gov

State Controller's Office

Public mailbox: LocalGovPolicy@sco.ca.gov

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Thank You!

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